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PART II—Section 2

Bills and Reports of Select Committees on Bills

PARLIAMENT OF INDIA

The following Bill was introduced in Parliament on the 13th March, 1951:—

BILL* No. 19 OF 1951

A Bill further to amend the Indian Tariff Act, 1934.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Indian Tariff (Amendment) Act, 1951.

2. Insertion of new section 3A in Act XXXII of 1934.—After section 3 of the Indian Tariff Act, 1934 (hereinafter referred to as the principal Act), the following section shall be inserted, namely:—

“3A. *Power of Central Government to levy protective duties in certain cases.*—(1) Where the Central Government, upon a recommendation made to it in this behalf by the Tariff Board set up under the Resolution of the Government of India in the Department of Commerce No. 218-T (55)/45, dated the 8rd November, 1945, is satisfied that circumstances exist which render it necessary to take immediate action to provide for the protection of the interests of any industry established in India, the Central Government may, by notification in the Official Gazette, impose on any goods imported into India in respect of which the said recommendation is made, a duty of customs of such amount, not exceeding the amount proposed in the said recommendation, as it thinks fit.

(2) Every duty imposed under sub-section (1) shall, for the purposes of this Act, be deemed to have been specified in the First Schedule, and shall be in addition to any duty imposed under this Act or any other law for the time being in force, but shall not be included in the duty of customs upon which any additional duty imposed by section 3 of the Indian Finance Act, 1942 (XII of 1942), and continued, subject to certain modifications, by certain subsequent Central Acts, is calculated, or operate so as in any way to affect the amount of any additional duty so imposed.

* The President has, in pursuance of clause (1) of article 117 of the Constitution of India, recommended to Parliament the introduction of the Bill.

(3) During the session of Parliament commencing after the date of the notification under sub-section (1) there shall, unless the notification is in the meantime cancelled, be introduced in Parliament on behalf of the Central Government a Bill to give effect to the proposals of the Central Government in regard to the continuance of the protective duty of customs on the goods to which the notification relates, and the notification shall cease to have effect when such Bill becomes law, whether with or without modifications, but without prejudice to the validity of anything previously done thereunder."

3. Amendment of the First Schedule, Act XXXII of 1934.—In the First Schedule to the principal Act,—

(i) in Item No. 11(3), for the entry in the second column, the words "Sago, Tapioca and Tapioca flour, not otherwise specified" shall be substituted;

(ii) after Item No. 11(5), the following Item shall be inserted, namely:—

"11 (6)	Sago globules and tapioca pearls—					
	(a) manufactured in a British Colony.	Protective	24 per cent. <i>ad valorem</i>.	..	..	December 31st, 1952.
	(b) not manufactured in a British Colony.	Protective	36 per cent. <i>ad valorem</i>.	..	..	December 31st, 1952.";

(iii) in Item No. 15(10), in the entry in the second column, after the word "Stearine" the brackets and words "(Glyceride of Stearic Acid)" shall be inserted;

(iv) in Item No. 26, to the entry in the second column, the words "and antimony ore" shall be added;

(v) after Item No. 26, the following Item shall be inserted, namely:—

"26 (1)	Antimony ore in any form such as—	..	Free	..	..	..";
	(a) lump;					
	(b) powder or fine; and					
	(c) concentrates.					

(vi) in Items Nos. 27(4) and 27(8)—

(a) in the entry in the second column, the words "by Abel's close test" shall be omitted;

(b) to the entry in the second column, the following Note shall be added, namely:—

"Note.—Flashing points will be determined in accordance with the tests laid down in the rules made under the Petroleum Act, 1934 (XXX of 1934)";

(vii) in Item No. 28(8), in the entry in the second column, the word "carbolic" shall be omitted;

(viii) for Item No. 28(20), the following Item shall be substituted, namely:—

"28(20)	(a) Acid oleic or any product containing 60 per cent. or more of free liquid fatty acids.	Protective	30 per cent. <i>ad valorem.</i>	..	..	December 31st, 1951.
	(b) Acid stearic or any product containing 60 per cent. or more of free solid fatty acids.	Protective	30 per cent. <i>ad valorem.</i>	..	..	December 31st, 1951.
	(c) Mixtures of (a) and (b) containing 60 per cent. or more of free fatty acids.	Protective	30 per cent. <i>ad valorem.</i>	..	..	December 31st, 1951.";

(ix) in Item No. 28(29), in the entry in the second column, after the word "phenol" the brackets and words "(carbolic acid)" shall be inserted;

(x) after Item No. 28(30), the following Item shall be inserted, namely:—

"28(31)	Calcium lactate— (a) of British manufacture.	Protective	26 per cent. <i>ad valorem.</i>	..	..	December 31st, 1953.
	(b) not of British manufacture:	Protective	36 per cent. <i>ad valorem.</i>	..	..	December 31st, 1953.";
	Provided that calcium lactate manufactured in a British Colony shall be deemed to be of British manufacture.					

(xi) for item No. 30(7), the following item shall be substituted, namely:—

"30 (7)	Lead Pencils . . .	Protective	30 per cent. <i>ad valorem</i> or 3½ annas per dozen, whichever is higher.	December 31st, 1952.";
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(xii) after Item No. 45(3), the following Items shall be inserted, namely:—

"45(4)	Coloured and copying pencils.	Protective	37½ per cent. <i>ad valorem.</i>	December 31st, 1952.
45(5)	Fountain pen ink	Protective	37½ per cent. <i>ad valorem.</i>	..	..	December 31st, 1953."

(xiii) in Items Nos. 46, 46(1), 47, 47(1) and 48, in the last column headed "Duration of protective rates of duty", for the word, figures and letters "March 31st, 1951", the word, figures and letters "March, 31st, 1952" shall be substituted;

(xiv) after Item No. 71(7), the following Item shall be inserted, namely:—

"71(8)	Grinding wheels and segments.	Protective	100 per cent. <i>ad valorem.</i>	December 31st, 1951."
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(xv) after Item No. 71(10), the following Item shall be inserted, namely:—

"71(11)	Oil pressure lamps of 100 to 400 candle power, all sorts.	Protective	30 per cent. <i>ad valorem.</i>	December 31st, 1953."
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(xvi) in Item No. 72(d), in the entry in the second column, after the words "any machinery above specified", the words "and also with squirrel cage electric motors of one-quarter of one brake horse power and above", shall be inserted;

(xvii) in Item No. 72(8), in the entry in the second column, after the words "seed and corn crushers", the words "seed and grain cleaners and graders" shall be inserted;

(xviii) in Item No. 72(25), to the entry in the second column, the following proviso shall be added, namely:—

"Provided that articles which do not satisfy this condition shall also be deemed to be component parts of the machine or apparatus to which they belong if they are essential to its operation and are imported with it in such quantities as may appear to the Collector of Customs to be reasonable."

(xix) in Item No. 75(1), in the entry in the fifth column, for the figures "54", the figures "57" shall be substituted;

(xx) for Item No. 85, the following Item shall be substituted, namely:—

"85	Buttons, studs and cuff links—					
	(a) made of metals other than gold or silver.	Protective.	30 per cent. <i>ad valorem.</i>	..	..	December 31st, 1953.
	(b) made of porcelain.	Protective.	35 per cent. <i>ad valorem.</i>	..	..	December 31st, 1953.
	(c) not otherwise specified but excluding jewellery, and articles made of glass or plated with gold or silver or both.	Protective.	30 per cent. <i>ad valorem.</i>	..	..	December 31st, 1953."

4. Amendment of Act I of 1949.—In the Indian Tariff (Amendment) Act, 1949,—

(i) in sections 4 and 5, for the figures “1951” the figures “1954” shall be substituted; and

(ii) section 7 shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The objects of the present Bill are—

(1) to amend the Indian Tariff Act, 1934 (XXXII of 1934) to empower Government to impose protective duties by notification in emergent circumstances on the recommendation of the Tariff Board to be followed up by formal legislation;

(2) to amend the First Schedule to the Act in order to grant protection to certain industries and to extend beyond the 31st March, 1951, the period of protection for certain other industries on the advice of the Tariff Board; and

(3) to amend the Indian Tariff (Amendment) Act, 1949 (I of 1949) in order to continue for a further period of three years the concessions agreed to under the General Agreement on Tariffs and Trade at Geneva.

2. As regards (1), the powers indicated are at present exercisable under the Protective Duties Act, 1946 (XVII of 1946). This Act is, however, due to expire on the 31st March, 1951. It is necessary to retain these powers permanently and it is convenient to have these powers incorporated in the Indian Tariff Act, 1934.

3. As regards (2), the industries which are to be protected are—

- (i) Sago globules and tapioca pearls,
- (ii) Fine chemicals (calcium lactate),
- (iii) Pencils,
- (iv) Fountain pen ink,
- (v) Oil pressure lamps, and
- (vi) Buttons, studs and cuff links.

The industries which will continue to be protected are—

- (i) Sericulture, and
- (ii) Grinding wheels and segments.

4. As regards (3), Act No. I of 1949 is due to expire on the 31st March, 1951. The Contracting Parties to the General Agreement have proposed that the present Contracting Parties (including India) should continue the concessions for a further period of three years. The Schedule to the Act which is being amended accordingly embodies only the items on which concessions were agreed to during the first set of negotiations at Geneva in 1947.

5. Opportunity has also been taken to carry out certain minor amendments of a formal character.

D. P. KARMARKAR.

NEW DELHI;

The 12th March, 1951.

The following Bill was introduced in Parliament on the 14th March, 1951:—

BILL* No. 20 OF 1951

A Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the service of the year beginning on the 1st day of April, 1951.

Be it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Appropriation (Vote on Account) Act, 1951.

2. Withdrawal of Rs. 74,18,44,000 from and out of the Consolidated Fund of India for the year 1951-52.—From and out of the Consolidated Fund of India there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seventy-four crores, eighteen lakhs and forty-four thousand rupees towards defraying the several charges which will come in course of payment during the year beginning on the 1st day of April, 1951.

3. Appropriation.—The sums authorised to be withdrawn from and out of the Consolidated Fund by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

SCHEDULE

(See sections 2 and 3.)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
1	Ministry of Commerce and Industry .	5,57,000	..	5,57,000
2	Industries .	10,17,000	..	10,17,000
3	Commercial Intelligence and Statistics .	5,08,000	..	5,08,000
4	Ministry of Communications .	49,000	..	49,000
5	Indian Posts and Telegraphs Depart- ment (including Working Expenses).	2,76,68,000	..	2,76,68,000
6	Meteorology .	7,62,000	..	7,62,000
7	Overseas Communication Services .	6,16,000	..	6,16,000
8	Aviation .	27,32,000	..	27,32,000
9	Ministry of Defence .	2,14,000	..	2,14,000
10	Defence Services—Effective Army .	11,68,65,000	..	11,68,65,000
11	Defence Services—Effective Navy .	79,32,000	..	79,32,000
12	Defence Services—Effective Air Force .	2,08,12,000	..	2,08,12,000
13	Defence Services—Non Effective Charges.	1,29,60,000	..	1,29,60,000
14	Ministry of Education .	2,96,000	..	2,96,000
15	Archæology .	2,77,000	..	2,77,000
16	Other Scientific Departments .	12,00,000	..	12,00,000
17	Education .	11,00,000	..	11,00,000

* The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to Parliament the introduction and consideration of the Bill.

1	2	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
No. of Vote	Services and purposes	Ra.	Ra.	Ra.
18	Ministry of External Affairs	4,75,000	..	4,75,000
19	Tribal Areas	13,67,000	..	13,67,000
20	External Affairs	32,35,000	..	32,35,000
21	Ministry of Finance	10,09,000	..	10,09,000
22	Customs	15,34,000	..	15,34,000
23	Union Excise Duties	38,80,000	..	38,80,000
24	Taxes on Income including Corpora- tion Tax.	23,06,000	..	23,06,000
25	Opium	16,44,000	..	16,44,000
26	Stamps	8,83,000	..	8,83,000
27	Payments to Other Government De- partments, etc.	51,000	..	51,000
28	Audit	33,18,000	1,07,000	34,25,000
29	Joint Stock Companies	48,000	..	48,000
30	Miscellaneous Departments	17,03,000	..	17,03,000
31	Currency	14,27,000	..	14,27,000
32	Mint	7,67,000	..	7,67,000
33	Superannuation Allowances and Pen- sions.	24,10,000	47,000	24,57,000
34	Miscellaneous	1,87,62,000	..	1,87,62,000
35	Grants-in-aid to States	2,95,68,000	64,75,000	3,60,43,000
36	Miscellaneous Adjustments between the Union and State Governments.	9,000	..	9,000
37	Resettlement and Development	33,35,000	..	33,35,000
38	Pre-partition payments	22,88,000	4,000	22,92,000
39	Extraordinary payments	50,00,000	..	50,00,000
	Charged—Interest on Debt and other obligations and reduction or avoid- dance of Debt. . . . .	..	4,50,00,000	4,50,00,000
40	Ministry of Food and Agriculture	3,82,000	..	3,82,000
41	Forest	2,08,000	..	2,08,000
42	Survey of India	5,13,000	..	5,13,000
43	Botanical Survey	7,000	..	7,000
44	Zoological Survey	25,000	..	25,000
45	Agriculture	6,73,000	..	6,73,000
46	Civil Veterinary Services	2,03,000	..	2,03,000
47	Indian Dairy Department	60,000	..	60,000
48	Ministry of Health	63,000	..	63,000
49	Medical Services	3,70,000	..	3,70,000
50	Public Health	5,57,000	..	5,57,000
51	Ministry of Home Affairs	6,64,000	..	6,64,000
52	Cabinet	2,07,000	..	2,07,000
53	Police	8,16,000	..	8,16,000
54	Census	8,33,000	..	8,33,000
55	Civil Defence	10,000	..	10,000
56	Delhi	27,09,000	..	27,09,000
57	Ajmer	7,95,000	..	7,95,000
58	Andaman and Nicobar Islands	10,18,000	..	10,18,000
59	Ministry of Information and Broad- casting.	8,03,000	..	8,03,000
60	Broadcasting	17,81,000	..	17,81,000
61	Ministry of Labour	2,25,000	..	2,25,000
62	Ministry of Law	15,63,000	..	15,63,000
63	Administration of Justice.	17,000	72,000	89,000
64	Ministry of Natural Resources and Scientific Research.	73,000	..	73,000

1	2	3		
		Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
No. of Vote	Services and purposes	Rs.	Rs.	Rs.
65	Irrigation (including working expenses) Navigation, Embankment and Drainage Works met from Revenue.	2,44,000	..	2,44,000
66	Geological Survey	3,17,000	..	3,17,000
67	Mines	1,97,000	..	1,97,000
68	Scientific Research	13,58,000	..	13,58,000
69	Department of Parliamentary Affairs.	7,000	..	7,000
70	Ministry of Rehabilitation	1,53,000	..	1,53,000
71	Expenditure on Displaced Persons	82,13,000	..	82,13,000
72	Ministry of States	89,000	..	89,000
73	Territorial and Political Pensions	2,70,000	1,01,95,000	1,04,71,000
74	Kutch	4,85,000	..	4,85,000
75	Himachal Pradesh	12,60,000	..	12,60,000
76	Bilaspur	82,000	..	82,000
77	Bhopal	8,95,000	..	8,95,000
78	Vindhya Pradesh	16,74,000	..	16,74,000
79	Manipur	2,62,000	..	2,62,000
80	Tripura	6,15,000	..	6,15,000
81	Relation with States	3,83,000	..	3,83,000
82	Ministry of Transport	2,05,000	..	2,05,000
83	Ports and Pilotage	3,80,000	..	3,80,000
84	Lighthouses and Lightships	1,14,000	..	1,14,000
85	Central Road Fund	1,000	..	1,000
86	Communication (including National Highways).	42,15,000	..	42,15,000
87	Ministry of Works, Production and Supply.	1,38,000	..	1,38,000
88	Supplies	11,78,000	..	11,78,000
89	Salt	13,58,000	..	13,58,000
90	Other Civil Works	39,50,000	1,32,000	40,82,000
91	Stationery and Printing	35,22,000	..	35,22,000
92	Parliament	5,50,000	4,000	5,54,000
	Charged—Staff, Household and Allowances of the President.	..	1,30,000	1,30,000
	Charged—Union Public Service Commission.	..	1,56,000	1,56,000
93	Capital Outlay on Indian Posts and Telegraphs (not met from Revenue).	48,34,000	..	48,34,000
94	Capital Outlay on Indian Posts and Telegraphs—Stores Suspense (not met from Revenue).	1,000	..	1,000
95	Capital Outlay on Civil Aviation	16,00,000	..	16,00,000
96	Defence Capital Outlay	1,08,08,000	..	1,08,08,000
97	Capital Outlay on the India Security Press.	85,000	..	85,000
98	Capital Outlay on Industrial Development.	88,00,000	..	88,00,000
99	Capital Outlay on Currency	3,000	..	3,000
100	Capital Outlay on Mints	2,82,000	..	2,82,000
101	Commuted Value of Pensions	7,75,000	..	7,75,000
102	Payments to Retrenched Personnel	28,000	..	28,000
103	Capital Outlay on Schemes of Government Trading.	1,14,00,000	..	1,14,00,000

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
104	Capital Outlay on Development	90,98,000	..	90,98,000
-105	Loans and Advances by the Central Government.	97,52,000	5,21,79,000	6,18,31,000
	Charged—Repayment of Debt	..	23,56,75,000	23,56,75,000
106	Capital Outlay on Forest	1,96,000	..	1,96,000
107	Capital Outlay on Broadcasting	4,98,000	..	4,98,000
108	New Delhi Capital Outlay	9,14,000	..	9,14,000
109	Capital Outlay on Civil Works	53,30,000	..	53,30,000
	TOTAL	39,16,68,000	35,01,74,000	74,18,42,000

STATEMENT OF OBJECTS AND REASONS.

This Bill is introduced in pursuance of Article 114(1) of the Constitution of India, read with Article 116 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the expenditure charged on the Consolidated Fund and the grants made in advance by Parliament in respect of the estimated expenditure of the Central Government, excluding Railways, for a part of the financial year 1951-52.

CHINTAMAN D. DESHMUKH.

NEW DELHI;

The 19th March, 1951.

The following Bills were introduced in Parliament on the 19th March, 1951:—

BILL *No. 22 OF 1951

A Bill further to amend the Delhi Joint Water and Sewage Board Act, 1926, for certain purposes.

BE it enacted by Parliament as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Delhi Joint Water and Sewage Board (Amendment) Act, 1951.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Amendment of section 12, Act XXIII of 1926.**—The proviso to sub-section (1) of section 12 of the Delhi Joint Water and Sewage Board Act, 1926 (hereinafter referred to as the principal Act) shall be omitted.

3. **Amendment of section 13, Act XXIII of 1926.**—The proviso to sub-section (4) of section 13 of the principal Act shall be omitted.

* The President has, in pursuance of clause (1) of article 117 of the Constitution of India, recommended to Parliament the introduction of the Bill.

4. Amendment of section 14, Act XXIII of 1926.—In section 14 of the principal Act—

(i) in sub-section (1) the words "or, in the case of an excess over the three annas rate payable by the Delhi Municipal Committee, from the Central Government" shall be omitted;

(ii) in sub-section (2), the words, figures and brackets "or, in the case of any amount recovered in excess from the Central Government under sub-section (4) of section 13, to the Central Government" shall be omitted;

(iii) sub-sections (3) and (4) shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The proviso to sub-section (1) of section 12 of the Delhi Joint Water and Sewage Board Act, 1926, makes the Central Government responsible in certain circumstances for payment of a part of the dues of the Delhi Municipal Committee to the Delhi Joint Water and Sewage Board in respect of filtered water supplied by the latter to the former. It is considered that there is no justification for Government undertaking an indefinite and recurring liability of this kind in the case of the Delhi Municipal Committee alone, especially, when other local bodies in Delhi pay their full dues to the Delhi Joint Water and Sewage Board. The present Bill seeks to relieve the Government of India of this liability by deleting the proviso to sub-section (1) of section 12 of the Act. It also makes certain other consequential changes in the Act.

AMRIT KAUR.

NEW DELHI;

The 12th March, 1951.

BILL NO. 23 OF 1951

A Bill further to amend the Minimum Wages Act, 1948

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Minimum Wages (Amendment) Act, 1951.

2. Amendment of section 3, Act XI of 1948.—In sub-section (1) of section 3 of the Minimum Wages Act, 1948,—

(1) for clause (a), the following clause shall be substituted, namely:—

"(a) fix the minimum rates of wages payable to employees employed—

(i) in an employment specified in Part I of the Schedule at the commencement of this Act, before the 31st day of March, 1952;

(ii) in an employment specified in Part II of the Schedule at the commencement of this Act, from such date as may be specified in this behalf by the appropriate Government by notification in the Official Gazette; and

(iii) in an employment included in Part I or Part II of the Schedule by notification under section 27, from such date as may be specified in this behalf in the notification;";

(2) after the existing proviso, the following further proviso shall be inserted, namely:—

"Provided further that, in the case of an employment referred to in sub-clause (ii) of clause (a), the appropriate Government may fix minimum rates of wages only for a part of the State or for any class or classes of such employment."

STATEMENT OF OBJECTS AND REASONS

Under clause (a) of sub-section (1) of section 3 of the Minimum Wages Act, 1948, as amended by the Minimum Wages (Amendment) Act, 1950, the appropriate Governments are required to fix minimum rates of wages in respect of the employments specified in the Schedule to the Act before the 15th March 1951. But not all State Governments have been able to do so up till now.

With respect to the employments specified in Part I of the Schedule, some State Governments require an extension of time for fixation of minimum rates of wages, and it is, therefore, proposed to extend the time limit up to the 31st March 1952.

With respect to employment in agriculture specified in Part II of the Schedule, most State Governments have expressed their inability to fix minimum rates of wages within the time prescribed as considerable difficulties are involved in the process, particularly when it has to be undertaken on a country-wide scale and so as to cover all classes of employment in agriculture. After careful consideration the Central Government have come to the conclusion that State Governments should, in regard to fixation of minimum rates of wages in agriculture, be allowed some discretion in the matter of its enforcement, particularly with reference to the date of enforcement and the areas in which and the employees with respect to whom the powers may be exercised. Sub-clauses (1)(a)(ii) and (2) of clause 2 make due provision in this behalf.

With respect to employments added to Part I or Part II of the Schedule, as the case may be, by notification under section 27 of the Act, the Act now provides that the date of enforcement shall be two or three years from the date of the notification. In such cases also it would be much better to empower the appropriate Government to notify the date of enforcement for fixation of minimum rates of wages.

JAGJIVAN RAM.

NEW DELHI;

The 18th March, 1951.

M. N. KAUL,

Secretary.

